

Attachment 1

U.S. House of Representatives
Committee on Resources
Washington, DC 20515

March 18, 1999

The Honorable David M. Walker
Comptroller General
United States General Accounting Office
441 G Street, Northwest
Washington, DC 20548

Dear Mr. Walker:

This is a formal request for the General Accounting Office to produce a report which will serve as a baseline for evaluating whether the National Fish Hatchery System is meeting the Fish and Wildlife Service's present objectives. My hope and intention is that the results of this report may lead Congress to work closely with the Fish and Wildlife Service and the Fisheries Program to consider any appropriate changes in existing law to refine and clarify their legal mandates.

My intention in requesting this review is to provide a baseline assessment of current Fisheries activities from which to work proactively with the Fish and Wildlife Service and other stakeholders to plan out the short and long term goals of the Fisheries Program and the National Fish Hatchery System. Fish culture and stocking may be legitimate tools for fisheries managers when used responsibly and with the support of solid scientific evaluation of their effectiveness.

However, stocking is also a very different type of management tool than regulation, enforcement, or habitat management and should neither replace nor supercede these other important activities. I also believe that the Service is obligated not to use enhancement as a permanent alternative to habitat protection or restoration, although I do understand that there are many situations in which supplementation programs are justly used to fulfill federal obligations in mitigating the impacts of federal projects. In general, I support the work that the Service and the Fisheries Program have done in restoring aquatic species and ecosystems, and make this request only with the intention of improving on their performance and effectiveness in their many difficult tasks.

With this in mind, I would appreciate your taking into consideration the following requests for information:

1. To better permit an understanding of trends in current activities within the National Fish Hatchery System, please provide me with a simple evaluation of this division's spending trends related to hatcheries and mitigation -- and compared to the rest of the Fisheries Program -- over the last five to 10 years. To the extent practicable, please elaborate on the degree to which the Service believes that inadequate funding was or may have been a factor in failing to reach the objectives of fisheries program and management activities.

2. In order to carefully evaluate the Service's current activities, please delineate, using either fish eggs or pounds of fish, production by the NFHS in 1998 for each of the categories below. To the extent practicable, I would also like to know the final destination of this production, in other words whether it was delivered to federal waters, state waters, tribal waters, or private waters.

- Restoration and recovery of threatened and endangered species mandated by the Endangered Species Act
- Supplementation or enhancement of native species
- Enhancement of non-native species
- Mandated mitigation, including court orders, for both native and non-native species and the ecosystems upon which they depend
- Recreational activities such as put and take or put and grow
- Research and development activities
- Reimbursed activities paid for by states, tribes, or other entities

The Fish and Wildlife Service has carefully defined terms used in the list above in an effort to avoid double-counting when relevant (i.e. separates restoration and supplementation so that production for each do not overlap). The information is attached.


3. An evaluation of the appropriate laws which authorize and direct the activities of the Fisheries Program and National Fish Hatchery System, and the process through which the Service ensures that NFHS activities are consistent with these and other applicable laws such as the Endangered Species Act and the National Environmental Protection Act. To the extent practicable, this evaluation should include an analysis of the extent to which the GAO believes that the actions and results of the Fisheries Program and National Fish Hatchery System are consistent with the law.
4. I would also like to receive an estimate of what percentage of each of the categories in request 2 includes projects or activities where the ultimate goal is *not* attaining self-sustaining populations or natural reproduction.
5. Finally, I would like an analysis of the process through which the Fisheries Program determines which approach, or approaches, are appropriate to use in managing aquatic resources. This would presumably include evaluating how hatchery or program managers define the objectives of their enhancement programs and determine how success of a program's objectives will be determined. For example, if the objective of an enhancement program is restoration, but no specific criteria are established or monitored to determine when restoration is achieved, there can be no way of knowing when restoration has succeeded and stocking should be discontinued. In such cases, stocking may occur indefinitely and thus be considered a "put and take" activity.

While I have real concerns that funding needs for operations such as threatened and endangered species recovery are not being met, I also recognize that the overall funding for operational and maintenance needs throughout the Fisheries Program is likely to be inadequate. Our desire is to help the fisheries program acquire the resources they need to successfully reach their objectives.

while simultaneously ensuring that these objectives are consistent with sound natural resource management principals.

I greatly appreciate your assistance in this matter, and I and my staff look forward to working out any further details or problems concerning this request with you in the near future.

Sincerely,



GEORGE MILLER
Senior Democratic Member